

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

Present: Shri Jagadananda, SIC

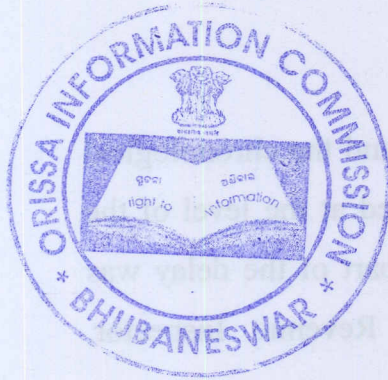
Date: 7th August, 2009

Complaint Case No.49/2007

Manoranjan Malik,
At-Bainpara,
PO-Harirajpur,
PS-Salipur,
Cuttack district.....Complainant

-Vrs-

Public Information Officer,
General Administration Department,
Government of Orissa,
Bhubaneswar.....Opposite Party



Decision

1. Complainant Manoranjan Mallik is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Akhaya Kumar Mohanty, ex- Assistant Section Officer of General Administration Department are present. Perused the case record. This case arises out of complaint petition dated 09/01/07 and heard by the State Commission earlier on 11/09/07, 08/01/08,20/06/08 and 22/05/09.
2. Records reveal that the Complainant had sought information in form A application dated 19/10/06 from the PIO, General Administration Department regarding misuse of acquired land pertaining to Hal Plot no. 544, 545, 546,547, 548 and 549 at Kharvelanagar, Bhubaneswar etc.

3. In his averment the PIO had mentioned that after receiving the application the same was put up on 20/10/06 to P.K.Nayak, Additional Land Officer for supply of information. He returned the file on 24/12/06. Thereafter, information was supplied to the Complainant, free of cost, vide letter no.55 dated 20/01/07. However, from the chronological event chart there appears no delay to have been caused by the then PIO who on the next day of the receipt of the form A application had requested the Director of the Estates (which being a Directorate has its independent PIO) to provide the information.
4. It revealed from the showcause memorandum and the chronological event chart, that considerable delay had occurred at the level of the then Land Officer, Hari Ballav Mishra. Some part of the delay was also attributable to Suryamani Mohapatra, Revenue Inspector, General Administration Department.
5. In his submission made before the State Commission, Hari Ballav Mishra had stated that some important cases relating to illegal occupation/encroachment over Government land in Bhubaneswar were going on during this period, involving hundreds of crores of rupees for which he was forced to attend to those cases on priority so as to safeguard the interest of the Government and thereby the public. The information sought by the Complainant dated back to 1950 which required thorough verification. He prayed that he had no malafide intention to withhold any information.
6. Suryamani Mohapatra submitted that he was a field functionary requiring to conduct field survey and local enquiry almost everyday besides attending to Civil Courts to give witness in different civil

suits in which General Administration Department is impleaded as a party. Therefore, the delay at his level was not intentional.

7. The State Commission being convinced that there was no malafide intention to withhold the information exonerated the opposite parties. The information has been furnished to the Complainant and there appears no other issue to adjudicate in this case. Accordingly the case is disposed of and closed.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 7th day of August, 2009.



Pradyumn
5/8/09

SIC

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